

**United States Bankruptcy Court  
Eastern District of Pennsylvania**

In re:

Arcy E. Crute,

Debtor.

Case No. 23-11870-amc

Chapter 13

**Debtor's Motion to Extend the Automatic Stay**

**AND NOW**, Debtor Arcy E. Crute, by and through their attorney, moves this Court for an order extending the automatic stay under 11 U.S.C. § 362(c)(3)(B). In support of this motion, the Debtor states as follows:

1. The Debtor filed this case under chapter 13 on June 26, 2023.
2. The trustee in this case is Scott F. Waterman.
3. The Debtor has filed a chapter 13 plan and all statements, schedules, and related documents as required by Fed. R. Bankr. P. 1007(b).
4. The Debtor filed Case No. 19-10323-amc in this district under chapter 13 on January 17, 2019, which was dismissed on May 3, 2023, for failure to make plan payments. The Debtor was represented in that case by Cibik Law P.C.
5. The Debtor had no other bankruptcy cases pending in the one-year period immediately preceding the petition date in this case.
6. Because the Debtor had one bankruptcy case pending in the past year, the automatic stay is set to expire thirty days after the instant case was filed. 11 U.S.C. § 362(c)(3)(A).
7. The Court may extend the automatic stay upon notice, hearing, and a showing that the instant case was filed in good faith. 11 U.S.C. § 362(c)(3)(B). A case is filed in good faith when there are positive changing circumstances showing that a debtor can successfully see a chapter 13 through to the end. *In re Legree*, 285 B.R. 615, 620 (Bankr. E.D. Pa. 2002).
8. This case was filed in good faith. The Debtor's most recent prior case was confirmed, and the Debtor made substantial plan payments in number and amount. In the instant case, the Court has issued an order to pay the trustee by wage attachment. ECF No. 10. That reliable means of funding the plan makes it likely that the Debtor will reorganize successfully.

9. Because this case was filed in good faith, the Court must continue the automatic stay against all creditors for the duration of this case.

**NOW, THEREFORE**, the Debtor asks this Court to grant relief in the form of order attached and to grant such other relief in their favor as may be necessary and proper under the law.

Date: June 30, 2023

CIBIK LAW, P.C.  
*Counsel for Debtor*

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